

JOURNAL OF THE SENATE [October 10, 1969]

STATE OF WISCONSIN

Senate Journal

Seventy-Ninth Session

FRIDAY, October 10, 1969.

9:10 o'clock A.M.

The senate met.

The senate was called to order by the president.

The roll was called and the following senators answered to their names:

Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Soik, Swan, Terry and Whittow—28.

Absent—Senator Thompson—1.

Absent with leave—Senator Krueger—1.

INTRODUCTION OF AMENDMENTS

Senate substitute amendment 1 to Senate Bill 605 offered by Senator LaFave.

Senate substitute amendment 2 to Senate Bill 655 offered by Senator LaFave.

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INTRODUCTION OF BILLS

Senate Bill 701

Relating to false, misleading and deceptive practices, and prescribing penalties.

By Senators Rasmusen, Cirilli, McParland, Busby, Knowles, Soik, Schuele and Devitt; co-sponsored by Assemblymen Tregoning and Greider.

Read first time.

To committee on Judiciary.

Senate Bill 702

Relating to recorded telephone messages and providing a penalty.

By Senator Dorman.

Read first time.

To committee on Judiciary.

COMMITTEE REPORT

The committee on Judiciary reports and recommends for introduction:

Senate Bill 703

(Committee on Judiciary, by request of Atty. Gen. Warren) An act relating to machine guns, dangerous weapons, arson investigation, perjury and false swearing, and providing penalties.

Introduction; Ayes, 3; Noes, 0.

Read first time.

To committee on Judiciary.

Senate Bill 704

(Committee on Judiciary, by request of Atty. Gen. Warren) An act relating to the duties of the crime laboratory, renaming the crime laboratory division to be the division of law enforcement services in the department of justice, and eliminating the charge-back to counties for services of the laboratory.

Introduction; Ayes, 3; Noes, 0.

Read first time.

To committee on Judiciary.

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And further recommends:

Senate Bill 427

Relating to appointment of a circuit court commissioner by a circuit judge during his last retirement term in office.
Indefinite postponement; Ayes, 4; Noes, 1.

Senate Bill 479

Relating to transferring functions of the county board of public welfare relating to the children's court center in counties having a population of 500,000 or more to the children's court judges.

Indefinite postponement; Ayes, 4; Noes, 1.

Assembly Bill 8

Relating to creditors' actions.

Adoption of senate amendment 1; Ayes, 4; Noes, 1 and concurrence as amended; Ayes, 4; Noes, 1.

Assembly Bill 730

An act making shoplifting a crime, establishing prima facie evidence of shoplifting and providing penalties.

Concurrence; Ayes, 3; Noes, 2.

ALLEN J. BUSBY,
Chairman.

PETITIONS AND COMMUNICATIONS

Senate Petition 532

A petition signed by 33 security officers employed by the Department of Protection and Security at the University of Wisconsin who believe that state employees are entitled to the fringe benefits described in Assembly Bill 777.

By Senator Terry.

To joint committee on Finance.

Senate Petition 533

A petition signed by 20 citizens favoring Senate Bill 222 (and/or companion Assembly Bill 342) which would restore 35% of the Liquor Tax to the Veterans Trust Fund.

By Senator Terry.

To committee on Governmental and Veterans' Affairs.

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Senate Petition 534

A petition signed by 27 residents of the 8th Senatorial District supporting Assembly Bill 713 relating to sex education in public schools.

By Senator Busby.

To committee on Education.

MOTIONS

Senate Bill 653

Upon motion of Senator Busby, with unanimous consent, the bill was withdrawn from the committee on Judiciary and referred to joint committee on Finance.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, since 1953, October 23rd has been proclaimed United States Week throughout our land by mayors and governors; and

Whereas, Governor Warren P. Knowles has for several years proclaimed October 23rd as United States Day urging all of us as Americans to renew and strengthen our faith in our own United States in these perilous times; and

Whereas, the observance will from now on be for the "Day" and the "Week" of October 23rd thru October 29th; and

Whereas, all Americans are urged to reflect upon the history of the United States and proudly display the American flag during this week; now, therefore,

The Members of the Wisconsin Senate, on the motion of Senator Johnson, recognize the importance of UNITED STATES DAY and WEEK in American life and urge all citizens of Wisconsin to join in recognition of this historic day and week of October 23rd thru 29th.

Read and adopted.

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The president announced the appointment of the following committees of Conference:

Assembly Bill 58

Senator Whittow, chairman;
Senator Knowles and Senator Chilsen.

The conferees were confirmed.

Senate Bill 188

Senator Rasmusen, chairman;
Senator Soik and Senator Schreiber.

The conferees were confirmed.

Upon motion of Senator Keppler, with unanimous consent, the actions of the senate in yesterday's session were ordered immediately messaged to the assembly.

CALENDAR OF MONDAY, SEPTEMBER 29th

Senate Bill 537

Relating to determination of sewerage charges by municipalities.

Senator Schreiber moved rejection of senate amendment 4.

Senator Whittow moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

The roll was called and the following senators answered to their names:

Senators Busby, Cirilli, Devitt, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Soik, Swan, Terry and Whittow—27.

Absent—Senators Chilsen and Thompson—2.

Absent with leave—Senator Krueger—1.

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Upon motion of Senator Risser the senate recessed for five minutes.

RECESS

10:46 A.M.

President in the chair.

Upon motion of Senator Keppler, with unanimous consent, the call of the senate was raised.

Senate Bill 537

Senator Keppler moved to lay the bill on the table.

The question was: Shall the bill be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 17; absent or not voting, 1; as follows:

Ayes—Senators Chilsen, Cirilli, Draheim, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Meunier, Rasmusen and Terry—12.

Noes—Senators Busby, Devitt, Dorman, Heinzen, Kendziorski, Lorge, Lotto, Lourigan, McParland, Risser, Roseleip, Schreiber, Schuele, Soik, Swan, Thompson and Whitow—17.

Absent or not voting—Senator Krueger—1.

The motion to lay on the table failed.

Upon motion of Senator Keppler the senate recessed for 15 minutes.

RECESS

11:19 A.M.

President pro tempore in the chair.

Senate Bill 537

The question was: Shall senate amendment 4 be rejected?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 1; as follows:

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Ayes—Senators Busby, Chilsen, Cirilli, Devitt, Draheim, Heinzen, Hollander, Kendziorski, Knutson, LaFave, Lotto, Lourigan, Meunier, Roseleip, Schreiber, Soik and Terry—17.

Noes—Senators Dorman, Johnson, Keppler, Knowles, Lorge, McParland, Rasmusen, Risser, Schuele, Swan, Thompson and Whittow—12.

Absent or not voting—Senator Krueger—1.

Senate amendment 4 was rejected.

Senator Roseleip, with unanimous consent, was granted a leave of absence for the balance of today's session.

Senator Whittow raised a point of order the bill needed a fiscal note.

The chair ruled the point of order not well taken.

Senator Whittow moved the bill be referred to joint committee on Finance.

Senator Kendziorski in the chair.

The question was: Shall Senate Bill 537 be referred to joint committee on Finance?

The ayes and noes were demanded and the vote was: ayes, 8; noes, 18; absent or not voting, 2; paired, 2; as follows:

Ayes—Senators Chilsen, Keppler, Knowles, Rasmusen, Risser, Schuele, Swan and Whittow—8.

Noes—Senators Busby, Cirilli, Devitt, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Knutson, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Schreiber, Soik and Terry—18.

Absent or not voting—Senators Krueger and Thompson—2.

Paired—Senator Dorman for referral; Senator Roseleip against referral—2.

The motion to refer to committee failed.

Senate amendment 5 offered by Senator Whittow.

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President pro tempore in the chair.

Senate amendment 1 to senate amendment 5 offered by Senator Lorge.

Senate amendment 1 to senate amendment 5 failed adoption.

Senator Lorge moved reconsideration of the vote by which senate amendment 1 to senate amendment 5 failed adoption.

The motion to reconsider the vote failed.

Senator Devitt moved rejection of senate amendment 5.

Senator Risser raised a point of order that senate amendment 5 was not germane.

The chair took the question under advisement.

Upon motion of Senator Keppler the senate recessed for five minutes.

RECESS

12:20 P.M.

President pro tempore in the chair.

Upon motion of Senator Kendziorski, with unanimous consent, Senator McParland was granted a leave of absence for the balance of today's session.

Senate Bill 558

Relating to the exemption of certain smoke novelties and party novelties from the fireworks prohibition.

Read a second time.

The question was: Shall the vote by which the bill was passed be reconsidered?

The ayes and noes were demanded and the vote was: ayes, 6; noes, 21; absent or not voting, 3; as follows:

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Ayes—Senators Dorman, Kendziorski, Lourigan, Risser, Schreiber and Thompson—6.

Noes—Senators Busby, Chilsen, Cirilli, Devitt, Draheim, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Meunier, Rasmusen, Schuele, Soik, Swan, Terry and Whittow—21.

Absent or not voting—Senators Krueger, McParland and Roseleip—3.

The motion to reconsider failed.

Assembly Bill 204

Relating to designation of members of the assembly.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator LaFave, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 204

Was read a third time and concurred in.

Assembly Bill 348

Relating to state income tax appeals.

Read a second time.

Senate amendment 1 was adopted.

The bill was ordered to a third reading.

Upon motion of Senator LaFave, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 348

Was read a third time and concurred in as amended.

Senate Bill 111

Relating to punitive assessments for attempt to defeat or evade income or franchise tax, and providing a penalty.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator LaFave, with unanimous consent, the bill was considered for final action at this time.

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Senate Bill 111

Was read a third time and passed.

**Upon motion of Senator Chilsen the senate adjourned
until Tuesday, October 14, at 10:01 A.M.**

INTRODUCTION OF GUESTS

**Senator Johnson welcomed Mrs. James Mertes and Mrs.
James Howard, of Eau Claire.**

**Senator Risser introduced Mr. Dale McKenna, Demo-
cratic candidate for 13th Senatorial District, from Jefferson.**